

PLEASANTLY THE STRANGER SMILED

But the Smile Faded and Grew
Constrained as the Game
Went On.

AND HE LOST REPEATEDLY

By DAVID A. CURTIS.

"That don't go in Arkansas City," exclaimed Joe Bassett in loud, angry tones.

"Why not?" said the stranger very quietly.

He seemed not to be greatly disturbed, though it might have been noticed that his eyelids narrowed slightly over a pair of peculiarly keen eyes and that a grayish glitter came in the baby blue orbit under the lids.

Moreover, the smile that seemed to be on his pleasant features, while it did not disappear altogether, took on a sinister expression that had not shown before.

His composure remained absolutely unshaken. Evidently he was not a man to be agitated by a mere noise of any kind. When he heard the words of his only smile until he could get an explanation of it. Even then it was not certain that he would be impressed greatly.

He had entered old man Greenlaw's saloon in Arkansas City unannounced and unexpected, and he had been sitting at the bar, and though on entering he observed the etiquette of the place by inviting the company to partake of refreshments at his expense, he showed no great desire for stimulation, pouring out a remarkably small amount of whiskey and brandy and drinking not even the whole of that before setting his glass down.

Then he had seated himself with his evident intention of making himself at home and producing an excellent cigar from his pocket joined the others in smoking the time away. If he saw the sidelong glances cast at him and at one another by his fellow smokers he took no apparent notice of them, but gave an excellent imitation of a man who has nothing to say.

The old man, however, almost always had something to say. He was the silence that ensued seemed after a while to pull on his taste. The etiquette which the others had observed so carefully forbade him to ask any direct questions of a stranger, but he was somewhat skillful at fishing, and presently he said in a tentative way:

"We uns done heard what they was c'n'dible of a game on the boat last night. Yo' all sho' was lucky to b' what yo' c'd see it. Must 'a' been a right lively fight to finish up."

No one of his four friends who had been seated at the table with him had heard anything of the game or the fight, but they understood what the old man was driving at. So, perhaps, did the stranger, but all he said was, "I didn't see it."

"With looks?" said the old man coolly. "Leastways, 'a' must 'a' been 'ordin' to what they was a sayin'. But if yo' all didn't see it, yo' couldn't 'a' been settin' in."

"I wasn't," said the stranger.

"Kind of disheartenin' when a man makes a chance like that," pursued the old man, striving to convey the impression that he commiserated the stranger. "I was onto a boat one night my own self when they was a game I never seen. I'd been up to me night, and I t'ned in soon as I went abo'." An "I" doggedly if they wasn't a settin' that evenin' an' two suckers lose over a thousand af' it broke up. I thought 'a' win quite a heap if I'd a held a hand."

The stranger smiled right along. He did not seem to be at all perturbed. "They's a chance fo' to sit in at a other game, though, even if a man does miss one what he mought 'a' see. An' I'm doggedly if they wasn't a settin' that evenin' an' two suckers lose over a thousand af' it broke up. I thought 'a' win quite a heap if I'd a held a hand."

"I have," said the stranger, but he said no more.

"Mebbe I c'd be o' some 'sistance," said the old man desperately. "bein' 's yo' all is a stranger an' I'm toblay well 'quainted round town."

"I reckon you can change the time table on the railroad. The only business I have on hand just now is waiting for the next train to go somewhere else. Doesn't make much difference where it is," he added lightly. "I don't care anything else to do in Arkansas City but wait for a train or a boat."

"Yo' all is said wrong," exclaimed the old man, seizing his opportunity eagerly. "They's mo' didn't in my back room n' they is anywhere else on 'erth."

"What is it?" asked the stranger, as if surprised.

"Draw poker," said the old man. "I reckon they ain't no such of a game played nowhere up 'n' down the Mississippi Valley as what these hyar cubs is p'pared fo' to play up."

"Mean by that," he added hastily, as the stranger assumed an air of doubt, "what they ain't nobody puts up mo' money 's free 's they does. They's all well fixed and they's tryin' hard to learn the game. If yo' all was to give 'em some pints on playin' it, 'd be a favor to 'em. They's tryin' to mind 's to learn it. If anybody 'd learn 'em somethin'."

"Why didn't you tell me that before?" said the stranger. "I'm no great player myself, but I'm liable to go melancholy mad before that train goes. I can't find anything so exciting that I've seen in Arkansas City. I don't mind taking a hand, providing the game is big enough to be interesting. I don't like a limit game."

"Well, I dunno 'bout that," said the old man cautiously. "I don't never play my own way, but I've seen some when the game 's short-handed, but 's far 's I know they ain't never been nothin' bigger 'n a dollar limit played on the premises. Mebbe that wouldn't interest yo' all."

"No, it wouldn't," said the stranger, and he heaved his cigar as if dropping the subject, while the old man put on a look of discouragement, and the others appeared to be thinking solemnly.

After an interval Jim Blaisdell spoke

POEMS WORTH READING.

The Day After Christmas.
Twas the day after Christmas, and all through the house
Every creature was stirring, from mistle to mouse.
The stockings, once hung by the chimney with care,
Were empty and showed that St. Nick had been there.
The children no longer were snug in their beds,
For visions of breakfast time danced in their heads.
In short, the same old routine had begun,
And Wall Street was calling, the house no longer to run.
Poor mother was tired, and father was vexed,
Because stocks were erratic; and sister
Because she was so tired, and sister
Because she was so tired, and sister
Because she was so tired, and sister

"I won't play," said Joe Bassett so decidedly as to convey the idea that he desired to be disagreeable.

"Th' ain't no 'lections,' 's fur 'I know, if anybody wants to play table stakes, again, 's he's allowed, but I never learnt the game, an' I'll be doggedly if I'm gwine to see no outsider butt in an' over'turn the traditions o' Arkansas City. Draw poker's the on'y game what we uns 'a' familiar with, an' 's 'a' I'm c'n'dible it's gwine to be 'th' on'y what'll be played 'round these parts."

The stranger smoked right along, saying nothing while Blaisdell explained to the indignant Sheriff that table stakes was the same as any other game of draw poker, only that it was allowed to be played for money. He liked, provided he had the amount of the bet in sight on the table at the time when he looked at the hand.

"But s'poin' the other feller 'hain't got enough to see the bet," objected Bassett.

Blaisdell explained that also and after a time Bassett agreed reluctantly to sit in long enough to see how it worked, though he protested with some indignation that it was irregular for any stranger to be allowed to dictate the kind of game that should be played in his saloon.

Remained Sam Pearsall, and he was for a time obstinate in his refusal to play anything but a limit game, but finally, when taunted with his lack of sporting blood he yielded, and the old man produced cards and chips.

The stranger bought \$100 worth right away, and then he was ready to storm of protest immediately, but the old man declared firmly that "the gent c'd buy 's much 's he dogrone pleased," and the others after much grumbling decided to buy each a like amount.

Then the game began, but it was clearly evident from the beginning that Bassett was hostile. That gentleman, however, said nothing, but producing another cigar, smoked along.

The play, for the first round or two indicated a certain timidity on the part of the house players that was perfectly natural to those who try a new game. The others, who were wholly unaccustomed. They made their bets readily enough when it came their turn, but they put up no more than a dollar at a time, and when the stranger threw \$5 in the pot, as he did several times, they drew back in doubt whether to play or awe, until he had swollen his stack appreciably and theirs were all shrunken.

One after another they showed peevishness, Bassett especially, until at length an outbreak came. Bassett, who had been sitting at the table, however, until the stranger raised a pot \$5 after Winterbottom had come in on Bassett's ante and Blaisdell and Pearsall had each raised \$1.

Then Bassett, who had been fingering his chips with the apparent intention of making a good bet, turned on the stranger angrily and exclaimed: "That don't go in Arkansas City."

"Why not?" asked the stranger coolly.

"Yo' all 'greed what yo' play reas'nable," said Bassett, "an' that there ain't no gentlem'n game. Mebbe it mought be put over onto a passel o' yaps in the country, but we uns won't stand fo' it."

"Oh, shucks!" exclaimed Blaisdell, "the gent c'd play 'n' right. Back up yo' horses, Joe. This yer's table stakes, an' he c'n bet as much as he likes."

"Well, then, I reckon I kin, too," said Bassett, his temper getting the better of him.

"I raise yo' \$5," and he did it.

Winterbottom and Pearsall fled, but Blaisdell, after some hesitation put up his money grudgingly, and the stranger, relaxing his features in a remarkably pleasant smile, put up \$25.

With a howl of rage Bassett threw down his cards and glared at the stranger, who in doubt whether to kill him immediately or not, and the stranger, still smiling, turned to see what Blaisdell was going to do.

With a smile as pleasant as his own, Mr. Blaisdell pushed his whole stack forward.

"It was not quite as large as the stranger's, for, as was said, the stranger had lost a few dollars, and Blaisdell was enough to give the stranger pause. Slowly his smile faded into a look of careful consideration, while Blaisdell's grew somewhat pensive.

Perceiving this, and seeming to interpret it as the adjunct of a bluff, the stranger saw the bet and stood pat after Blaisdell had called for two cards. Then he smiled again, but Blaisdell's full hand was laid down, and the deal passed to Bassett.

"Give me another hundred," said the stranger, impudently, and the time Bassett smiled, seemingly mindful of his loss of \$17, not counting his ante. He was not wrong, and after the old man had brought the additional chips the game went on, and a curious thing happened at intervals thereafter.

From time to time the stranger would get cards of sufficient strength to enable him to bet out, and each time he would encounter a response of such kind that would be further encouraging so that the betting would continue until some one of the others would bet all that he had in front of him.

It would seem probable that an experienced player such as the stranger undoubtedly was would take warning after a second, and third recurrence of a defeat such as he met, but though his smile grew more and more constrained, he continued to play until each of his antagonists had taken a full out of him, buying anew after each disaster, and then losing his final stack in another struggle with Blaisdell.

Then he looked at his watch, and seeing that it was near train time he went away from there.

He went out the door Bassett said affably "Yo' all sho' is done learnt we uns a heap. I reckon we won't play a limit game no mo'." And he laughed heartlessly.

QUESTIONS AND ANSWERS.

The question was recently asked as to the busiest corner in the world and the reply was made that while no exact figures were available several experts considered it to be Fifth avenue and Forty-second street. Attention is, therefore, called to the figures collected by the New York police and published in the SUN of December 12. This traffic count showed the city's busiest corner to be Park road and Forty-second street, where for twenty-five days an average of 298,500 pedestrians and 6,700 vehicles passed daily between 8:30 A. M. and 8:30 P. M. Fifth avenue and Forty-second street averaged 113,780 pedestrians and 18,800 vehicles.

Kindly inform what book or books I ought to read to acquaint myself with the history of the pre-Adamites (people who inhabited this earth previous to Adam and Eve) if such exists.

By hypothesis and by Scripture Adam and Eve had no predecessors. Perhaps, however, "J. J. F." may find what he wants in "Men of the Old Stone Age," by Henry Fairfield Osborn, which Scribner has just published.

In the burial service of a certain orator occurs this sentence: "It is the breaking of these ties, the loss of companionship and the sudden ending of all associated life, the fact that it is the lesson that is to be impressed upon the hearers, is not the form 'plunges' here correctly used?"

No question seems to occasion more disputes than this. Where, as here, a plural subject is the expression of a single thought, concept or feeling, the use of the verb in the singular is as correct as its use in the plural.

Regarding the inquiry as to the highest point on Long Island: Brown's Hill, in the Town of Brookhaven, has an elevation of 233 feet. Harbor Hill, near Roslyn, has an elevation of 391 feet. These figures are from the maps of the United States Geological Survey. There is one hill still higher. If I remember correctly, about five feet higher than Harbor Hill) easterly from Hicksville and southerly from Huntington. I have not the Geological Survey map at hand and do not remember the name of the hill nor its exact elevation.

For whom was the fireboat Zophar Mills named? Please explain the colored lights under the spans of the East River bridges.

Fire Commissioner Adamson furnishes the following account of Zophar Mills: "Zophar Mills died July 28, 1887, at the age of 77 years. He was for many years engaged in mercantile pursuits in this city. He joined Engine Company No. 13 of the old Volunteer Fire Department in 1832 and three years later became its foreman. It was located in Fulton street near Gold street, and afterward in Dover street, near Pearl street. With his company he assisted in fighting the great conflagration of 1835.

"In 1838 Mr. Mills became assistant engineer of the Volunteer Department and continued to serve in such capacity until 1843, when he resigned for business reasons.

"In 1845, with others, he originated the Exempt Firemen's Company for the purpose of assisting the regular volunteer force. This company rendered excellent service.

"During his many years connection with the Volunteer Fire Department Mr. Mills established a record as an able and brave fire fighter.

"In 1852 Mr. Mills was president of the Exempt Firemen's Association of New York city.

The colored lights under the spans of the East River bridges are navigation lights, which the United States Government requires the city to put on the bridges to mark the river channel at night. On the Queensboro Bridge they mark the channel on both sides of Blackwell's Island. The green light indicates the centre of the channel; red lights, its outer edges.

Will you kindly republish "Casey at the Bat" the last time you published it I cut it out, but let another have it before I had learned it by heart.

The classic is too long to print here, but Jay E. Bee can memorize it by withdrawing from the nearest library Burton E. Stevenson's "The Home Book of Verse." Turn to page 2,117.

Did Alexander Campbell, the founder of Bethany College, ever have a public debate on slavery? and a man named Rice (I think) and a man named James stand as the best defense of slavery ever made?

Is there not somewhere in Latin America a town named Bafos or Puerto Bafos?

There is no town in Ecuador, in the province of Tungurahua, at the foot of the active volcano which gives the province its name. Longman's Gazetteer puts it 105 miles northeast by north from Guayaquil and twenty miles east northeast of Rio-Bamba. The name means simply "baths." There are three springs with distinct temperatures of 36, 44 and 55 degrees centigrade respectively, according to Lopez's mapbook of Ecuador (1907), which has governmental approval and refers to these springs as "famous."

SCHOOL FOR CARD PLAYERS.

Auction Bridge. M. E. H. says: We are in doubt as to the correct score in this case. The declaration is three hearts by Z, which A doubles. The declarer does not make her contract, stopping at the odd trick, but A's partner revokes. A says she gets 260 for the failure on the contract, while Z gets 160 for the revoke. Z insists that A gets nothing, and that three tricks taken for the revoke are worth 16 each and 50 for making good on the bid and 50 for the extra trick.

Is it right in saying that A gets nothing, as the side in error when a revoke is made cannot score anything but honors as held. If Z takes three tricks, so as to fulfill her game, these carry no bonus of 50 for the double because they were not won in actual play, although the four odd are scored at 16 each and win the game.

S. T. asks a similar question, but in this case the player who was doubled and made the four odd in spades, doubled, which was the bid, and got a trick over. How should he exact the penalty, at the odd trick, or want the actual tricks except for alarm?

The five odd in spades are worth 50 toward game. Then there is the 100 for a fulfilled doubled contract and a trick over. If three more tricks were taken, only two of them would count, as thirteen is the limit, and there is no score for alarms made by taking revoke penalties, so the most that can be made out of it is to take the 100. Many persons think alarms made by penalty tricks count, but that is a mistake.

U. O. P. says: The dealer held these cards, no score: Ace of hearts alone; four clubs to the queen ten; three diamonds to the queen jack. What is the bid?

One spade. It is true that there are not two sure tricks at the head of the spade suit, but there are tricks enough outside to fill up the holes in the spade suit. It is not a good trump with the singleton ace, but it is too strong a hand to pass without a bid. Some fox players would bid a club or a diamond to get a line on the heart situation.

M. A. F. says: What is the bid on five hearts to the ace ten; king queen small in clubs; jack and small diamonds and ace queen of spades. A says no trump.

It is a safer heart. The strength of three suits often tempts players to risk a no trump when there is no necessity for it. The danger of a no trump is that if the opponent on the left has a big suit he will sit still and lead it, but if a trump is declared he knows that his suit is worthless as a big trick winner, and has to declare it.

S. E. A. says: The dealer bids no trump, which goes to fourth hand, bidding two spades. Dealer says two no trump. What should dealer's partner do, holding four hearts to the king queen, six diamonds to the ten nine, and three clubs to the queen jack?

Pass it up. To show the diamonds now would be to indicate they were winners. If the dealer is strong enough to rebid his hand without waiting for you, he has that spade contract sewed up. Give him a chance to double it, or show his best suit.

Pinochle—H. A. says: The bid is 400. Bidder melds 270 and has 130 to make when he leads a card. His opponents then call his attention to the fact that he has brought in a card, and he insists that he loses his game for playing with a foul hand.

This would be an extremely severe penalty for an offence that cannot possibly harm either adversary nor give the player any unfair advantage. In the first place it is the rule that no part of the meld can be laid away, so that the widow must be laid out before the melds are taken back in the hand. In the case cited this was not done, therefore the players that sat there and allowed the bidder to pick up his melds are just as responsible as those that play to a lead out of the wrong hand at bridge. If they play to the card led without seeing that the widow is laid out, that is also their error. If they refuse to play to the trick, what harm has been done? All the bidder need do is to show his melds again and lay out for the widow. To set him back would be a preposterous penalty, as the laws of all games limit penalties to offences that might give the player in error an advantage.

R. S. L. asks if the bidder has the first count in four hand, or if an opponent can call out ahead of him.

It is usual for the bidder to defend one's self against an assailant, "only applies to the house, and the yard is not within its protection." The rule has been established by the Supreme Court in Hill vs. State, where the court said: "While one's house formerly meant his home, his dwelling, the rule has also been extended to include the place of business and his place of refuge, consequently the man's place of business must be regarded pro hac vice his dwelling. He has the same right to defend it against intrusion as he has to defend his home. His duty to defend one is the same as it is to defend the other."

The Supreme Judicial Court of Massachusetts holds in Germond vs. Brunelle that a person who gives a husband advice with an honest and friendly desire to aid him, even though it leads to his separation from his wife and may not have been the best advice that could have been given, is not liable to the wife for the absence of malice. The court said in part: "It is true that the husband is bound to support his wife and that he is liable to a criminal conviction if he negligently refuses or neglects to do so. But we do not think that that fact can affect his right to such advice or render a third party liable for breach of promise of marriage, to pay plaintiff a specified amount three years after date if she is then alive and unmarried, is void as in restraint of marriage is held in the case of McCoy vs. Flynn, L. R. A. 1915, 1064.

NOVEL POINTS OF THE LAW.

The Supreme Court of Louisiana has held in City of New Orleans vs. Ricker that whether the existence of bubonic plague in a city involves such danger as to require the raftering of all buildings and structures is a question of public policy for the legislative department. According to the court under the ordinance of the Board of Health requiring raftering of structures.

In Gutfreund vs. Williams, in the Supreme Court of Iowa (November, 1915, 154 N. W. 753), it was laid down that while a quotient verdict is improper, a verdict provisionally determined by striking an average of the opinions of the twelve jurors, without any agreement to make the amount so arrived at binding, is not invalid. The court said:

"Neither the nature of the action nor the issues involved on the trial is disclosed in the abstract. The verdict was for \$104.83, and it is said that the jurors in arriving thereat were guilty of misconduct in that they returned a quotient verdict. Six of them made affidavit that they were small ones, taking an average of the opinions of the twelve jurors, without any agreement to make the amount so arrived at binding, is not invalid. The court said:

"We first agree that each juror would mark down a certain sum which he thought the plaintiff was entitled to recover. After that each juror would divide the sum by 12. This said agreement was first entered into and agreed to by all the jurors and then each juror marked his amount and placed on a piece of paper a note of the amount he thought the plaintiff was entitled to recover, then adding all together and dividing the said sum by 12, then adding interest at 6 per cent. The result was a quotient verdict. At our verdict was adopted, with a result as shown by our verdict returned in said cause."

Railroad, starting its freight train with only the usual and necessary noises connected therewith, held not liable for injury to plaintiff's horse, which was frightened, ran away and threw her out. —Dotson vs. Michigan Cent. R. Co., Mich. N. W. 1065.

Though plaintiff, when awakened, found his head between the rods of his bed, the railroad company, whose car crashed through the fence in front of plaintiff's residence, was held liable for the injuries sustained by plaintiff in extricating his head.—Louisville and N. R. Co. vs. Chambers, Ky., 178 S. W. 1101.

Supreme Court Justice Lamm of Missouri, writing an opinion on "specks" in Skilman vs. Clardy, said: "There were no objections in refusing to admit the tax judgment and deed on many alleged defects. In oral argument learned counsel for appellants conceded a group of them were small ones, but they insisted that (taken collectively as an aggregation) they had a cumulative effect and invalidated the deed. He illustrated his position by the homely proposition announced at our bar, to wit, 'Enough sorrowing spoils the apple rotten.' The enough specks theory, thus making its virgin and blushing bow on the stage of real estate law, may well excite a judicial mind, but it is to be tempered by a word of caution, thus: If comparisons are not 'odious,' as some writers put it, they may be 'odorous' as some will say, and they will certainly be unpalatable. We do not think that 'that nothing in law is so apt to mislead as a metaphor.' We are told at the mother's knee that continual dropping wears away a stone, but that continual change the courses of rivers, that while one swallow may not, yet many swallows may, make a summer, and why may not many specks spoil an apple?"

A unique case was decided by the Supreme Court of Minnesota in Terrell vs. Virginia Building Company. The case concerned a building contract. The court held that a boy's sled does not come within the purview of a statute regulating motor vehicles. The action was brought to recover damages for the alleged wrongful death of plaintiff's intestate, a boy of 12 years, who was killed while coasting down a hill on a street by his sled coming in contact with a sleigh of the defendant which was coming up the hill on the left hand side of the street.

There is very little in the books upon proof of will, but the following cases have lost their eyesight. The recent case of Reynolds vs. Sever, 145 Ky. 158, 176 S. W. 991, holds that inability of an attesting witness to identify the will of the testator thereto because of failure of sight does not defeat probate, if he testifies to the contents of the will, and attestation of a will, and the other attesting witnesses, besides giving similar testimony, identify the will offered as the one attested by such witness.

In Thomas vs. State, in the Supreme Court of Alabama, it was laid down that "the right of castle," that is, to stand on one's ground and refuse to admit a defendant one's self against an assailant, "only applies to the house, and the yard is not within its protection." The rule has been established by the Supreme Court in Hill vs. State, where the court said: "While one's house formerly meant his home, his dwelling, the rule has also been extended to include the place of business and his place of refuge, consequently the man's place of business must be regarded pro hac vice his dwelling. He has the same right to defend it against intrusion as he has to defend his home. His duty to defend one is the same as it is to defend the other."

Casino. T. M. says: A bet is that if the game is up and both are out, the one that wins the cards goes out first.

Cards count first, but if the 3 points are not enough to win, spades, big and then little casino, aces and sweeps come in order.

Poker. J. M. H. says: The deal is complete, but the dealer gives a sixth card to the eldest hand before his attention is called to the fact that all have called a stone, and the dealer takes back the last card, putting it on the top of the pack. A bet is that a misdeal is made.

The deal stands, but the eldest hand is out of the pot, as he lifted a foul hand. He had no right to lift his cards, as they can be counted face down without lifting.

H. N. J. says: We are in some doubt as to the rule about splitting opponents and placing the discard under the chips in the pool. Does this placing of the discard place only when the opponent actually splits, and if so must he be actually splitting and not bluffing?

CHESS FOR PLAYER, LOWER AND STUDENT

Janowski's Ship Delayed, So
Date for Rice Tourney Is
Not Yet Fixed.

MARSHALL WON'T PLAY

The managers in charge of the forthcoming Rice Memorial Tournament announce that they are unable to fix a date for the beginning of the contest, which is to be held in the city of New Orleans, La., on January 3. However, the local agents of the French Chess Club, who are in charge of the contest, have left the French port yesterday and are expected to arrive in this city on January 3. However, the local agents of the French Chess Club, who are in charge of the contest, have left the French port yesterday and are expected to arrive in this city on January 3.

"We first agree that each juror would mark down a certain sum which he thought the plaintiff was entitled to recover. After that each juror would divide the sum by 12. This said agreement was first entered into and agreed to by all the jurors and then each juror marked his amount and placed on a piece of paper a note of the amount he thought the plaintiff was entitled to recover, then adding all together and dividing the said sum by 12, then adding interest at 6 per cent. The result was a quotient verdict. At our verdict was adopted, with a result as shown by our verdict returned in said cause."

Railroad, starting its freight train with only the usual and necessary noises connected therewith, held not liable for injury to plaintiff's horse, which was frightened, ran away and threw her out. —Dotson vs. Michigan Cent. R. Co., Mich. N. W. 1065.

Though plaintiff, when awakened, found his head between the rods of his bed, the railroad company, whose car crashed through the fence in front of plaintiff's residence, was held liable for the injuries sustained by plaintiff in extricating his head.—Louisville and N. R. Co. vs. Chambers, Ky., 178 S. W. 1101.

Supreme Court Justice Lamm of Missouri, writing an opinion on "specks" in Skilman vs. Clardy, said: "There were no objections in refusing to admit the tax judgment and deed on many alleged defects. In oral argument learned counsel for appellants conceded a group of them were small ones, but they insisted that (taken collectively as an aggregation) they had a cumulative effect and invalidated the deed. He illustrated his position by the homely proposition announced at our bar, to wit, 'Enough sorrowing spoils the apple rotten.' The enough specks theory, thus making its virgin and blushing bow on the stage of real estate law, may well excite a judicial mind, but it is to be tempered by a word of caution, thus: If comparisons are not 'odious,' as some writers put it, they may be 'odorous' as some will say, and they will certainly be unpalatable. We do not think that 'that nothing in law is so apt to mislead as a metaphor.' We are told at the mother's knee that continual dropping wears away a stone, but that continual change the courses of rivers, that while one swallow may not, yet many swallows may, make a summer, and why may not many specks spoil an apple?"

A unique case was decided by the Supreme Court of Minnesota in Terrell vs. Virginia Building Company. The case concerned a building contract. The court held that a boy's sled does not come within the purview of a statute regulating motor vehicles. The action was brought to recover damages for the alleged wrongful death of plaintiff's intestate, a boy of 12 years, who was killed while coasting down a hill on a street by his sled coming in contact with a sleigh of the defendant which was coming up the hill on the left hand side of the street.

There is very little in the books upon proof of will, but the following cases have lost their eyesight. The recent case of Reynolds vs. Sever, 145 Ky. 158, 176 S. W. 991, holds that inability of an attesting witness to identify the will of the testator thereto because of failure of sight does not defeat probate, if he testifies to the contents of the will, and attestation of a will, and the other attesting witnesses, besides giving similar testimony, identify the will offered as the one attested by such witness.

In Thomas vs. State, in the Supreme Court of Alabama, it was laid down that "the right of castle," that is, to stand on one's ground and refuse to admit a defendant one's self against an assailant, "only applies to the house, and the yard is not within its protection." The rule has been established by the Supreme Court in Hill vs. State, where the court said: "While one's house formerly meant his home, his dwelling, the rule has also been extended to include the place of business and his place of refuge, consequently the man's place of business must be regarded pro hac vice his dwelling. He has the same right to defend it against intrusion as he has to defend his home. His duty to defend one is the same as it is to defend the other."

Casino. T. M. says: A bet is that if the game is up and both are out, the one that wins the cards goes out first.

Cards count first, but if the 3 points are not enough to win, spades, big and then little casino, aces and sweeps come in order.

Poker. J. M. H. says: The deal is complete, but the dealer gives a sixth card to the eldest hand before his attention is called to the fact that all have called a stone, and the dealer takes back the last card, putting it on the top of the pack. A bet is that a misdeal is made.

The deal stands, but the eldest hand is out of the pot, as he lifted a foul hand. He had no right to lift his cards, as they can be counted face down without lifting.

H. N. J. says: We are in some doubt as to the rule about splitting opponents and placing the discard under the chips in the pool. Does this placing of the discard place only when the opponent actually splits, and if so must he be actually splitting and not bluffing?

The Supreme Judicial Court of Massachusetts holds in Germond vs. Brunelle that a person who gives a husband advice with an honest and friendly desire to aid him, even though it leads to his separation from his wife and may not have been the best advice that could have been given, is not liable to the wife for the absence of malice. The court said in part: "It is true that the husband is bound to support his wife and that he is liable to a criminal conviction if he negligently refuses or neglects to do so. But we do not think that that fact can affect his right to such advice or render a third party liable for breach of promise of marriage, to pay plaintiff a specified amount three years after date if she is then alive and unmarried, is void as in restraint of marriage is held in the case of McCoy vs. Flynn, L. R. A. 1915, 1064.

CHESS FOR PLAYER, LOWER AND STUDENT

Janowski's Ship Delayed, So
Date for Rice Tourney Is
Not Yet Fixed.

MARSHALL WON'T PLAY

The managers in charge of the forthcoming Rice Memorial Tournament announce that they are unable to fix a date for the beginning of the contest, which is to be held in the city of New Orleans, La., on January 3. However, the local agents of the French Chess Club, who are in charge of the contest, have left the French port yesterday and are expected to arrive in this city on January 3. However, the local agents of the French Chess Club, who are in charge of the contest, have left the French port yesterday and are expected to arrive in this city on January 3.